

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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CLAIRES CASSEUS,

12/1/2016 4:17 pm
U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE

Plaintiff,
-against-

NEW YORK COLLEGE OF HEALTH
PROFESSIONS,

Defendant.

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ORDER
15-cv-1914 (SJF)(AYS)

FEUERSTEIN, District Judge:

Presently before the Court is Magistrate Judge Anne Y. Shields' November 10, 2016 Report and Recommendation (the "Report") recommending that Defendant New York College of Health Professions' ("Defendant") motion for summary judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure be granted in its entirety. *See* Docket Entry ("DE") [36]. For the reasons set forth herein, the Court adopts Magistrate Judge Shields' Report in its entirety.

Pursuant to Fed. R. Civ. P. 72, a magistrate judge may conduct proceedings of dispositive pretrial matters without the consent of the parties. Fed. R. Civ. P. 72(b). The district court may accept, reject, or modify, in whole or in part, the findings and recommendations of the magistrate judge. *DeLuca v. Lord*, 858 F. Supp. 1330, 1345 (S.D.N.Y. 1994); *see also* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Where there are no specific written objections to a magistrate judge's report and recommendation, the district court may accept the findings contained therein as long as the factual and legal bases supporting the findings are not clearly erroneous. *Thomas v. Arn*, 474 U.S. 140, 150, 106 S. Ct. 466, 472 (1985). Therefore, to accept the report and recommendation of a magistrate judge on a dispositive matter to which no timely objection has been made, the district

court need only be satisfied that there is no clear error on the face of the record. *See* Fed. R. Civ. P. 72(b); *Johnson v. Goord*, 487 F. Supp. 2d 377, 379 (S.D.N.Y. 2007), *aff'd*, 305 F. App'x 815 (2d Cir. 2009); *Baptichon v. Nevada State Bank*, 304 F. Supp. 2d 451, 453 (E.D.N.Y. 2004), *aff'd*, 125 F. App'x 374 (2d Cir. 2005).

No objections to Magistrate Judge Shields' November 10, 2016 Report have been filed, and the deadline to object has expired. *See* 28 U.S.C. § 636(b)(1) (requiring that objections be filed within fourteen (14) days of being served with a copy of the report and recommendation); Fed. R. Civ. P. 72(b)(2). Upon review, the Court is satisfied that the Report is not facially erroneous. Therefore, Magistrate Judge Shields' Report is adopted in its entirety, and Defendant's motion for summary judgment pursuant to Fed. R. Civ. P. 56 is granted. The Clerk of Court is directed to enter judgment in favor of Defendant and close this case.

Dated: Central Islip, New York
December 1, 2016

SO ORDERED.

s/ Sandra J. Feuerstein
Sandra J. Feuerstein
United States District Judge